

DECLARATION OF CRAIG HEIMBURGER

Craig Heimburger declares as follows:

1. I have personal knowledge of the facts set forth herein and, if called as a witness, could and would competently testify thereto.
2. I reside at the following address:

2022 Cerney Ct.
Millstadt, Illinois 62260
3. I am married to Dawn Heimburger.
4. I was born February 3, 1977. I am 37 years old.
5. My football career prior to the NFL consisted of 1 year of Pop Warner football at the age of 11. Then 4 years of high school football (Belleville East High School, Belleville, IL.).
6. In high school, while I hit with my head and got hit in the head, I do not have any recollection of having sustained any serious head injuries.
7. After high school, I played 4 years of college football at the University of Missouri/Columbia.
8. In college, while I hit with my head and got hit in the head, I do not have any recollection of having sustained any serious head injuries.
9. In 1999, I was drafted in the fifth round of the NFL Draft by the Green Bay Packers. I was employed by the Green Bay Packers for nearly 2 seasons.
10. During my rookie season in Green Bay, the other rookie offensive linemen and I were ordered to show up on our days off, meet, and practice football in full pads (full contact). This was ended when a veteran teammate, LeRoy Butler, told the NFL Players Association of the CBA rule violation.
11. After my rookie season in Green Bay, the team allocated me to NFL Europe to play for the Rhein Fire in Dusseldorf, Germany. While playing a game in Frankfurt, Germany, I suffered a severe concussion which resulted in a migraine, memory loss, and vomiting. I played a significant portion of the game until I was finally taken out by my coach. Because of the memory loss I was told by my teammates on each play what my assignments were. I also continued to suffer migraine headaches during the season in NFL Europe.

12. By going to NFL Europe, I was essentially forced to play 3 consecutive football seasons, back to back to back, with little rest and recovery time in between. This was approximately 15 months of football during an 18 month span (July 1999 - January 2001.)
13. During my NFL career, I suffered from excruciatingly painful migraine headaches that were so severe that they triggered nausea, vomiting, and memory loss. During team activities in Green Bay, trainers would carry with them Imitrex shots, which they would inject in my arm on several occasions in order to ease the pain so that I could continue practicing. I remember that the shots were extremely unpleasant, causing a tingle in my entire body and numbness in all of my extremities. Teammate and fellow offensive lineman Earl Dotson used to receive the shots as well.
14. During my professional football career, I also took anti-inflammatory medicine nearly every day in an attempt to prevent migraines and help deal with severe back and neck pain amongst other flare-up pains. I switched back and forth from Tylenol, Advil, Bayer Migraine, and Aleve. Whichever one I had the most luck with at the time is what would be my "flavor of the week."
15. In 2000, when I arrived back in Green Bay from NFL Europe, I was prescribed Vioxx, which I took every day for a couple of years for my nagging pains. I later took Celebrex in place of Vioxx. On several occasions I have been given Toradol injections as well. I was regularly prescribed Zantac and later Nexium, because I suffered from severe indigestion and heartburn as a side effect from all of the anti-inflammatory meds.
16. In Europe, the team doctor prescribed for me an anti-inflammatory cream called Voltarin, which was not available in the U.S., and I rubbed it on most of my body.
17. After a brief stint with the Cincinnati Bengals, I was picked up by the Buffalo Bills where I spent the 2001 season. There, I started on the kickoff return wedge and suffered another severe concussion (in Atlanta, GA) which resulted in memory loss, migraines, and vomiting. I reported this concussion to the team doctor who told me it was just a minor concussion and allowed me to stay in the game. I also remember being questioned by my teammates and coaches as a result of this head injury. One teammate told me afterward that there was something wrong with me and I should go see a sports psychologist for counseling.
18. Just like in NFL Europe, I did not know my assignments and was told by my teammate, Phillip Crosby, what to do on each play. I also experienced surreal cases of Déjà vu-like symptoms which coincided with what I described as

rushes of blood to my head, along with dizziness and nausea.

19. As a result of comments by my teammates and coaches, and my fear of losing my job, I concealed migraines on many occasions and another concussion with memory loss that I suffered later in the season, again on the kickoff return wedge.
20. After not being re-signed by Buffalo I signed with the Houston Texans and was released at the end of their training camp in 2002 after playing in 3 preseason games.
21. Not long afterward, my wife and I started a construction company in the spring of 2003. I had always planned on finishing my last year of college and teaching history and coaching football at the high school level but I no longer had the patience to accomplish this goal. By starting my own business I felt like I could avoid having bosses like I did in football. I also felt like building houses would be fun and allow me to get my creative juices flowing again.
22. From 2003-2005 we built several houses, but the anxiety of running a business was too much for me. I was having panic attacks which were very hard to deal with. I still suffered from migraines and began having trouble concentrating. During this period I was having serious doubts as to if I could find happiness in life as well. On most days I woke up panic stricken as if the entire day ahead of me is a battle that I couldn't hack and I felt very alone and fearful. On some days I would wake up and not feel this way at all.
23. I wondered if my problem was the fact that I just missed football and maybe I could find happiness if I had football back in my life again as an outlet. In 2006 I decided to try out for the Colorado Crush of the Arena League and I made the team. Unfortunately it didn't help and I continued to have anxiety and mental confusion, so much so, that I received ridicule from teammates.
24. In January of 2007, I saw a new physician (Dr. Tipu Sultan) and I reported struggles with lethargy, anxiety, short-term memory loss, confusion, inability to cope with stress from responsibility, difficulty in concentration, restlessness, difficulty making decisions, etc.
25. Hoping that it would help my symptoms, Dr. Sultan treated me for thyroid disease (even though my TSH blood levels were normal). He also treated me for magnesium deficiency and Candida growth but nothing fully helped my symptoms. I was frustrated by the outcome but continued the treatments because they were my only hope.
26. I quit football entirely in 2008 because, along with the mental problems I was

experiencing as I have described herein, I was experiencing too much hip, back and neck pain.

27. I began taking Vicodin to help with the severe joint pains which had gotten worse through the years. To me, Vicodin was very helpful, but only for a time. I took it to help cope with the physical pain I was experiencing, but the greatest part about it was the fact that it took the edge off of me and calmed my nerves. I would take it the minute I got out of bed and whatever anxiety I was dealing with was gone. For an hour or so after I took hydrocodone I was my old self again, patient, confident, fearless, and ambitious, but when it wore off I was again struck by anxiety and depression. I took Vicodin and gradually upped the dose over a 3 year period, finally taking the max amount of Norco possible.
28. In 2008 or 2009, Doctor Anil Gupta, (who I saw many times) told me that he thought I should seek counseling for depression and anxiety and he felt like I was experiencing posttraumatic stress from my football career. He wanted me to try antidepressants but I was afraid to because I was on too many other prescriptions to treat pain and inflammation.
29. In 2009, after reporting all of my symptoms, I was asked to take part in a medical study run by UCLA Neurologist Dr. Daniel Kelly, which tested the endocrine and pituitary function of former NFL Players. Dr. Kelly concluded that I was the youngest subject in the group of former NFL players found to be hypo pituitary and as a result, I began a year of Human Growth Hormone replacement therapy. The therapy was helpful. In fact, I lost over 50 lbs. and for the first time in nearly 8 years, I began having dreams again at night. Unfortunately, because of the high cost and my dangerous levels of IGF1, I had to stop treatment after a year and I have not been treated for hypopituitarism since.
30. As I understood my doctor, Hypopituitarism is most commonly caused by head trauma and leads to several symptoms including, depression, anxiety, lack of concentration, metabolic syndrome, and the inability to heal from injuries. It is also prevalent in boxers and severe head trauma victims.
31. In March of 2011, I quit pain meds cold turkey (against my doctor's orders) because they were making me very sick as I was experiencing liver and gall bladder problems.
32. I am 37 years old and am currently disabled and suffer from chronic joint pain, degenerative disc disease, and arthritis and I weigh 350 lbs. I had a hip replacement at the age of 35 which was needed at 32. I have been seeing a pain management physician, Dr. Barry Feinberg, since 2004 and I report my

anxiety and mental clarity issues to him regularly. I have sleep apnea and sleep with the help of a CPAP machine. Several doctors believe that I suffer from a lack of dopamine and that I have neurotransmitter issues. I am constantly reminded and distracted by pain as I cannot sit or stand comfortably for long without lying down or reclining.

33. During a psychological examination in July of 2011, Dr. Kenneth Nudelman, found that I have a tumor on my pineal gland in my brain. Dr. Nudelman also reported that I am precluded from any job or task which involves multitasking.
34. My wife shut down our business not long after I stopped working and leading up to that point, I made many severe mistakes in construction planning that have led to significant financial losses. The next paragraph details some examples of how I was not longer able to function mentally at an adequate level to sustain our business
35. I designed plans and I missed flaws in conflicting elevations of foundation and floor plans and forgot to budget very expensive elements of the construction. I would have to buy multiples of every tool, because I kept misplacing them. Waking up every day and dealing with chronic pain, anxiety, and depression, I coped by procrastinating and avoiding stressful deadlines and situations in the short term but this created more problems in the long term. Even though I wrote down meeting times with customers and subcontractors in my day planner I would go days without looking at it and forget to show. My employees lost respect for me because I would never have materials delivered on time and I lost all sense of organizational skills. I failed our business and couldn't even function as a minority investor after I stopped physically working.
36. Presently, I am disabled and no longer work, but I still suffer from the same problems. The following paragraphs provide some present-day examples of challenges I am facing in my day-to-day life:

I am impatient with my children. When I get them ready for school my wife says I am too hard on them and tells me that I resemble a very nasty and impatient former offensive line coach of mine that I did not like. Most days, we get in the car and I pull to the edge of the neighborhood and have to think about where I am driving. Sometimes I will sit at the intersection for a while until someone else in the car asks me what I am doing. I drive the wrong direction sometimes and my wife will quickly correct me and remind me where I am going. If my wife isn't in the car my 7 year old daughter will sometimes realize that I am driving the wrong way to school and she will correct me. My mind just drifts and then I panic trying to figure out where I

am going. I also lose and misplace things all the time, i.e. car keys, my wallet, etc. The most recent examples are that I put the sour cream in a kitchen cabinet even though it belongs in the refrigerator and just the other day at church, I went to pull my cell phone out of my pocket to silence it, but it wasn't my cell phone I had in my pocket, it turned out to be the TV remote control from home. Some of these things may sound comical to a normal person but when it happens frequently it is just the opposite. When I watch my kids alone, my wife constantly calls and texts me to make sure that I am paying attention to them. I leave the stove on a lot. I get frustrated very easily and overwhelmed with people and avoid relationships.

For over a decade now, I cannot concentrate on prayer and before I realized it's all in my mind, I impulsively get frustrated thinking that my heart isn't into loving God anymore. Years ago, I even spoke to clergymen about this loss of faith. I grew up in the church and I prayed every day. Now I go to bed and don't pray because at some point I just gave up on trying to stay focused on it.

I struggle with paying attention to movies and television shows. I constantly rewind live TV because I lose focus for minutes at a time. I was a history major in college, and a huge fan of the efforts and principles of Theodore Roosevelt, so I downloaded his book, "Theodore Rex," a year ago on my tablet. I am only 100 pages into the book because I can no longer read things coherently due to my lack of focus. After reading entire chapters I have no idea what it was that I just read so I have to go back and do it again. I have always been an empath but I no longer feel empathy like I once did. I hate the feelings or thoughts of losing control. When I sit at the computer or tablet I forget what I was intending to do and get confused by the icons. When I need to type something, comment on or post on social media, or text or email someone, my mind goes blank for a few moments and I will type random words and sentences over and over and then delete it. Strangely, the arbitrary phrase I typically type is, "I need a new..." then I delete it and type the same phrase again and again until I remember my purpose for typing in the first place. I neurotically check my phone every minute or so and impulsively swipe the screen from left to right as fast as I can as if it is a race, for no apparent reason whatsoever. I second guess everything I do. For example, if I write an email (even if it's only one line) I look it over several times and fear hitting send, second guessing whether or not what I said is edited properly, appropriate, or even makes sense. I always fear making mistakes (even the smallest harmless mistakes) afraid that people will think less of me.

Up until my NFL career I was a very talented artist. I used to draw or paint for hours on end and focus on it intently until it was perfect. In fact, I won several art contests growing up and as a college football player; I have had my art featured in many newspapers and television news stories. I have

completely lost interest in art and much like necessary tasks in my everyday life, I feel overwhelmed by the thought of it. I am not motivated to do a lot or go anywhere. My wife encourages me to get up and get moving on a daily basis and forces me to go do the things I once loved, like go to sporting events and be around other athletes. I do not find joy very easy anymore and I get exhausted trying to pretend I am excited or happy. I think everyone is looking down on me as if I am a failure and an NFL bust. Whether in public or on social media, it is overwhelming and exhausting for me just trying to pretend that I have it all together all the time, when I don't.

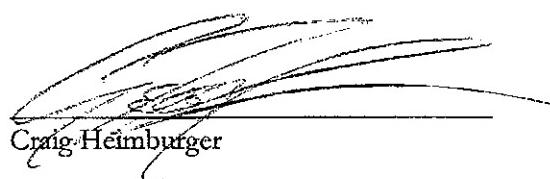
The most frustrating thing for me though, is that because of my moodiness, lethargy, lack of motivation, headaches, chronic pain, and anxiety, I feel as though I fail to be the husband, father, or son that I should be. I fear that my children will never know the real me. I was known as a high energy, ambitious hard worker. Ironically, I was nicknamed "Toughburger," by my college teammates because I was intense, dedicated, and fought on every play. Just as I fear I am looked down upon by others, I fear as though my kids will not respect me as they get older and that they will see me as a quitter or as lazy. They will never know that side of me. I am highly concerned by what they will grow up thinking of me. I am consumed by these fears.

37. I have retained Texas attorney Christopher A. Bandas and St. Louis attorney Pete Woods to advise me on my rights and options under the proposed NFL concussion injury class action settlement. I have also retained Philadelphia attorneys Glenn Manochi and Gary Lightman, who will be appearing on the pleadings as my attorney of record in the NFL concussion injury class action settlement. I was previously represented by the law firms of The Locks Law Firm and Montgomery, McCracken, Walker & Rhodes, LLP pursuant to a purported fee agreement dated January 12, 2012, and otherwise, but I have terminated their services.

I declare under penalty of perjury that the foregoing is true and correct.

Date: October 13, 2014

By:



Craig Heimburger